

REMARKS

By this amendment, claims 1-19 have been amended. Various amendments to the claims have been made to remove reference numerals and to place the claims in better form. Claims 1-19 remain in the application. This application has been carefully considered in connection with the Examiner's Action. Reconsideration and allowance of the application, is respectfully requested.

Objection to the Specification

The disclosure stands objected to because of informalities. Applicant notes the objection and in response has amended the paragraph beginning on page 1, line 30 to page 2, line 2, to eliminate references to claim numbers. Accordingly, objection to the specification has now been overcome.

Objections to the Claims

Claim 6 stands objected to because of informalities. The objection to the claim is noted and in response, claim 6 has been amended to provide proper antecedence for "a set of measured projections." Accordingly, objection to the claim has now been overcome.

Claim 7 stands objected to because of informalities. The objection to the claim is noted and in response, claim 7 has been amended to provide proper antecedence for "measured projections." Accordingly, objection to the claim has now been overcome.

Claim 10 stands objected to because of informalities. The objection to the claim is noted and in response, claim 10 has been amended, as appropriate, to indicate "the image processing apparatus", "the object", and "the predetermined." Accordingly, objection to the claim has now been overcome.

Claim 17 stands objected to because of informalities. The objection to the claim is noted and in response, claim 17 has been amended to provide proper antecedence for “time dependent 3D dynamic process.” Accordingly, objection to the claim 17, as well as claims 18 and 19, have now been overcome.

Rejection under 35 U.S.C. §101

Claims 15 and 16 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. The rejection to the claims is noted and in response, the same have been amended as follows. Claim 15 has been amended to include *inter alia* a “non-transitory computer readable medium encoded with a computer program.” Claim 16 has been amended to include *inter alia* a “non-transitory record carrier.” Accordingly, the rejection of claims 15 and 16 has now been overcome.

Allowable subject matter

Claims 1-5, 8, 9 and 11-14 stand allowed. Allowance of claims 1-5, 8, 9 and 11-14 is noted with appreciation.

Conclusion

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or a continuation application. In addition, the Office Action contains a number of statements characterizing the claims, the Specification, and the prior art. Regardless of whether such statements are addressed by Applicant, Applicant refuses to subscribe to any of these statements, unless expressly indicated by Applicant.

The matters identified in the Office Action of September 12, 2011 are now believed resolved. Accordingly, the application is believed to be in proper condition for allowance. The amendments herein are fully supported by the original specification and drawings; therefore, no new matter is introduced. Issuance of an early formal notice of allowance of claims 1-19 is requested.

Respectfully submitted,

By: /Michael J. Balconi-Lamica/

Michael J. Balconi-Lamica
Registration No. 34,291
for Charles E. Kosinski, Reg. No. 39,254

Dated: December 5, 2011

Mail all correspondence to:

Charles E. Kosinski, Esq.
Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, New York 10510-8001, USA
Telephone: (724) 387-3746
email: charles.kosinski@philips.com
Facsimile: 914-332-0615